

IRAQ'S COMPLIANCE WITH THE U.N. SECURITY
COUNCIL

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT ON THE STATUS OF EFFORTS TO OBTAIN IRAQ'S COM-
PLIANCE WITH THE RESOLUTIONS ADOPTED BY THE U.N. SECU-
RITY COUNCIL, PURSUANT TO 50 U.S.C. 1541



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THE WHITE HOUSE,
Washington, October 1, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Consistent with the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) and as part of my effort to keep the Congress fully informed, I am reporting on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the United Nations Security Council. My last report, consistent with Public Law 102-1, was transmitted on August 2, 1999. I shall continue to keep the Congress informed about this important issue.

Sincerely,

WILLIAM J. CLINTON.

STATUS OF U.S. EFFORTS
REGARDING
IRAQ'S COMPLIANCE WITH UNSC RESOLUTIONS

Overview

We are convinced that, as long as Saddam Hussein remains in power, he will continue to threaten the well-being of his people, the peace of the region, and vital U.S. interests. We will continue to contain these threats, but the best way to address them over the long term, is through a new government in Baghdad. To this end, we continue to work intensively with the Iraqi opposition. A delegation of prominent Iraqis met with a wide range of European and Middle Eastern delegations to the UN General Assembly in September, and the Iraqi National Congress continues to plan for a National Assembly meeting in the fall. We have provided funds to assist the Iraqi National Congress' operations. The Department of State has also been working with other non-governmental organizations to develop projects to assist the Iraqi opposition and the Iraqi people in their efforts to achieve regime change. We have also been actively engaged with the main Kurdish parties to promote implementation of their reconciliation agreement.

During the last 60 days, we have continued to work with members of the UN Security Council to build support for adoption of a resolution that would reestablish an effective disarmament and monitoring presence inside Iraq, better meet the humanitarian needs of the Iraqi people, and increase pressure on Iraq to account for the Gulf War missing and return Kuwaiti property. We held extensive negotiations among the five permanent members of the Security Council in September to try to build consensus for a new, comprehensive resolution on Iraq that would restore a robust disarmament regime and maintain tight financial controls, while further refining the oil-for-food program to better address the humanitarian needs of the Iraqi people. The Security Council is continuing its discussions on these matters.

The United States also continues to support the international community's efforts to provide for the humanitarian needs of the Iraqi people through the oil-for-food program. In August, the United States also announced a \$1 million donation to the International Committee of the Red Cross program in Iraq to rehabilitate hospitals, clinics, and water and sanitation projects.

U.S. and Coalition Force Levels in the Gulf Region

Saddam Hussein's record of aggressive behavior necessitates the deployment of a highly capable force in the region in order to deter Iraq and respond to any threat it might pose to its neighbors, the reconstitution of its WMD program or movement against the Kurds in northern Iraq. We will continue to maintain a strong posture and have established a rapid reinforcement capability to supplement our forces in the Gulf, if needed.

Our forces are a balanced mix of land and carrier-based aircraft, surface warships, a Patriot missile battalion, a mechanized battalion task force, and special operations units. To enhance force protection throughout the region, additional military security personnel are also deployed.

Operation Northern Watch and Operation Southern Watch

Aircraft of the United States and coalition partners enforcing the no-fly zones over Iraq under Operations Northern Watch and Southern Watch continue to be illuminated by radar and are regularly engaged by antiaircraft artillery and occasionally by surface-to-air missiles.

In response to Iraq's no-fly zone violations and attacks on our aircraft, our aircrews continue to respond directly and forcefully as required to deter Iraqi violations and provocations. United States and coalition forces are fully prepared and authorized to defend themselves against any Iraqi threat while carrying out their no-fly zone enforcement mission and have, when attacked or illuminated by Iraqi forces, engaged various components of the Iraqi integrated air defense system.

The Maritime Interception Force

The multinational Maritime Interception Force (MIF) continues to enforce UN sanctions in the Gulf. A New Zealand Navy ship will join the multinational MIF in October, and an Argentine boarding team will deploy on a U.S. Navy destroyer and arrive in the Gulf in November. Member states of the Gulf Cooperation Council (GCC) continue to provide logistical support and shipriders to the MIF and accept vessels diverted for violating UN sanctions against Iraq. The smuggling of refined petroleum products through the Gulf has remained at a low level since Operation Desert Fox. Smuggling in general,

however, continues. The MIF and our ability to augment it rapidly will continue to serve as a critical deterrent to both the smuggling of petroleum products out of Iraq, and the smuggling of prohibited items into Iraq.

UNSCOM/IAEA: Weapons of Mass Destruction

There have been no United Nations Special Commission (UNSCOM) or International Atomic Energy Agency (IAEA) inspections in Iraq since December 15, 1998. In July a UN team of CBW experts successfully decommissioned UNSCOM's laboratory in Baghdad and safely destroyed all toxic materials and one potentially pathogenic item. The team found no contamination; UNSCOM had safely stored all toxic materials prior to departure. In response to a request from the Security Council initiated as a result of questions from China, UNSCOM submitted to the Council a report on VX standards (used by UNSCOM to calibrate chemical analysis equipment), which was destroyed in the course of the UN team's mission.

The United Nations Security Council continues to debate several draft resolutions that would deal with the problem of Iraqi non-compliance with previous UN resolutions in a comprehensive fashion. The draft resolution submitted by the United Kingdom, the Netherlands and seven other co-sponsors has garnered the greatest support in the Council. The United States is broadly supportive of this resolution as it would restore a robust disarmament regime to Iraq; would provide for strict financial controls on Baghdad while revising the oil-for-food program to meet the legitimate humanitarian needs of the Iraqi people; and would ensure that there would be no lifting of the sanctions until Iraq has complied with all of its obligations to the Security Council.

In September, we began a series of intense negotiations among the five permanent members of the Security Council to try to secure a consensus on the UK-Dutch draft resolution. These negotiations are continuing although we are far from reaching an agreement.

Dual-Use Imports

Resolution 1051 established a joint UNSCOM/IAEA unit to monitor Iraq's imports of allowed dual-use items. Iraq must notify the unit before it imports specific items that can be used in both weapons of mass destruction and civilian applications. Similarly, UN members must provide timely notification of

exports to Iraq of such dual-use items. Since the withdrawal of UNSCOM and IAEA monitors, only some limited monitoring of the humanitarian program is being conducted by the UN Office of the Iraq Programme inspectors. This situation has presented new challenges for the UN Sanctions Committee and is a factor in the contract approval process. As a precautionary matter, the United States has placed holds on a number of dual-use contracts that might otherwise have been approved.

The UN Oil-for-Food Program

We continue to support the international community's efforts to provide for the humanitarian needs of the Iraqi people through the oil-for-food program. Because of the increase in world oil prices and increased exports, Iraq may reach its authorized oil export ceiling of \$5.2 billion per 180-day period in October, before the end of the current phase in November. Any exports beyond this limit would require Security Council authorization. As of August 25, UN reporting indicates that since the start of the oil-for-food program 5,901 contracts for humanitarian goods worth over \$7 billion have been approved, with 507 contracts worth \$477 million on hold and approximately 1,000 contracts in various stages of processing in the United Nations.

Within the oil-for-food program, Resolution 1242 maintains a separate program for northern Iraq, administered directly by the United Nations in consultation with the local authorities. This program, which the United States strongly supports, ensures that when Iraq contracts for the purchase of humanitarian goods, 13 percent to 15 percent of the funds generated under the oil-for-food program are spent on items for northern Iraq. In August, the United States authorized \$1 million for the UN Guard program, which provides security for humanitarian workers in northern Iraq.

In August, the results of a joint Government of Iraq/UNICEF report on child mortality were released. The findings indicate that in the north, where the United Nations manages the oil-for-food program, child mortality is below pre-war levels. On the other hand, child mortality rates in the south and center, where Saddam is in control, have worsened. The separate northern program was established because of the Baghdad regime's proven repression and disregard for the humanitarian needs of the population of northern Iraq.

International humanitarian programs including, most importantly, the oil-for-food program, have steadily improved the life of the

average Iraqi -- the ration basket provides over 2,000 calories per day while denying Saddam Hussein control over Iraq's oil revenues. In August, the United States announced the donation of \$1 million to the International Committee of the Red Cross program in Iraq to improve hospitals, health clinics, and water and sanitation facilities. We will continue to work with the UN Secretariat, the Security Council, and others in the international community to ensure that the humanitarian needs of the Iraqi people are met while denying political or economic benefits to the Baghdad regime. In addition, we are working with the United Nations and other Security Council members to mitigate the effects of the current drought in Iraq.

Northern Iraq: Kurdish Reconciliation

Following the June visit to Washington by delegations from the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), the parties have been working toward implementing, as part of the accord they signed here in September 1998, a number of confidence-building measures, including opening party offices in major cities throughout northern Iraq; addressing the divisive influence of the Kurdistan Workers' Party (PKK); enhancing their public relations efforts and avoiding negative statements to the press; beginning the return of internally displaced persons; and creating a voter registration commission for upcoming elections. Talks have continued in northern Iraq under the auspices of the Higher Consultative Council.

The Human Rights Situation in Iraq

The human rights situation in Iraq continues to fall far short of international norms. Resolution 688 expressly notes that the consequences of the regime's repression of its own people constitute a threat to international peace and security in the region. It also demands immediate access by international humanitarian aid organizations to all Iraqis in need in all parts of Iraq. Yet for over seven years, the Iraqi government has refused to allow the UN Human Rights Commission Special Rapporteur for Iraq, Max Van der Stoep, to visit Iraq. United Nations human rights monitors have never been allowed into Iraq.

Severe repression continues in southern Iraq. The regime has ignored repeated appeals by Max Van der Stoep and others for access by human rights monitors to investigate reports of human rights abuses, including allegations that the Government of Iraq was involved in the assassinations of three of Iraq's most

senior Islamic clerics: Ayatollah Mohammed al Sadr (the most senior Shia cleric in Iraq) in February 1999, Ayatollah Burujerdi in April 1998, and Ayatollah Ali al-Qaravi-Tabrizi in June 1998. Saddam also continues to employ draconian measures against those who challenge him, as evidenced by the razing of villages in the vicinity of al-Rumaitha following clashes there between government security forces and tribal elements.

In the north, outside the Kurdish-controlled areas, we continue to receive reports of the forced expulsion of ethnic Kurds and Turkomans from Kirkuk and other cities.

The Iraqi Opposition

We are continuing our engagement with the forces of change in Iraq, helping Iraqis inside and outside Iraq to become a more effective voice for the aspirations of the people. We will work toward the day when Iraq has a government worthy of its people -- a government prepared to live in peace with its neighbors and that respects the rights of its citizens rather than repressing them.

Since their visit to Washington in May, the members of the Iraqi National Congress (INC) Interim Presidency Committee have continued to meet and work on preparations for their National Assembly meeting. The Department of State has assisted the INC in these efforts by funding conference-planning services and the establishment of new INC headquarters in London with Economic Support Funds. Using these same funds, the Department of State has also been working with other non-governmental organizations to develop projects to assist the Iraqi opposition and the Iraqi people in their efforts to achieve regime change. In addition, the Departments of State and Defense continue to work with members of the opposition to arrange for the first drawdown of assistance under the Iraq Liberation Act in the form of equipment to establish an opposition headquarters and satellite offices; equipment to enhance opposition broadcasting capabilities; and training on civil-military affairs and other topics relevant to the opposition's efforts.

In September, the INC held a series of meetings to push forward their agenda. The INC held a meeting of the Executive Committee in London on September 13-14, where they discussed a date and venue for their National Assembly meeting. We expect them to announce their decisions soon. For the diplomatic activities associated with the opening of the United Nations General Assembly on September 20, the INC interim leadership and other

prominent Iraqi opposition leaders assembled in New York to represent the real voice of the Iraqi people. In New York, they met with several dozen European and Middle Eastern delegations to impress upon them the concerns and aspirations of the Iraqi people for a new government responsive to the needs of its people. In addition, some members of this delegation travelled to Washington September 27-29 for consultations with senior Administration officials. The Department of State made available funding for logistical and other support for these meetings.

The United Nations Compensation Commission

The United Nations Compensation Commission (UNCC), was established and operates pursuant to Resolutions 687 (1991) and 692 (1991). It continues to process claims and pay compensation for losses and damages suffered by individuals, corporations, governments and international organizations as a direct result of Iraq's unlawful invasion and occupation of Kuwait. To date, the UNCC has issued approximately 1.5 million awards worth about \$12.4 billion. Of these, the United States Government has received funds from the UNCC for initial installment payments on approximately 2,475 claims of U.S. claimants. Awards and the costs of the UNCC's operation are paid from the Compensation Fund, which is funded through the allocation to it of thirty percent of the proceeds from authorized oil sales under Security Council Resolution 986 (1995) and subsequent extensions.

Early on, the Governing Council of the UNCC made a decision on humanitarian grounds to give priority to individual claimants in both the processing and payment of claims. As a consequence of this policy, all Category "B" claimants (those who suffered serious personal injuries or whose spouse, child or parent died as a direct result of the unlawful invasion of Kuwait) have been paid in full. In addition, all claimants in Category "A" (those who were forced to leave Iraq or Kuwait) and Category "C" (those who suffered personal losses up to \$100,000) have been paid an initial amount of \$2,500 on their claims. In June, the Governing Council issued its 73rd Decision in which it provided that after the current round of payments has been completed, all successful claimants in categories "A", "C", "D" (those who suffered personal losses over \$100,000), "E" (corporate claimants) and "F" (government and international organization claimants) are to receive payments of \$25,000 or the principal amount of the award, if less.

The Secretariat currently anticipates that such payments will begin at the end of September 1999. Once these payments have been made, the amount for the next round of payments to successful claimants increases to \$75,000 or the unpaid principal amount of the claim, if less. This was done with a view to maintaining priority of payment on small claims while also providing meaningful compensation on larger individual claims, corporate, and government claims.

Conclusion

Iraq remains a serious threat to international peace and security. We remain determined to see Iraq comply fully with all of its obligations under Security Council resolutions. The United States looks forward to the day when Iraq rejoins the family of nations as a responsible and law-abiding member. I appreciate the support of the Congress for our efforts and shall continue to keep the Congress informed about this important issue.